

**LIBELED:** 7-14-60, N. Dist. Ill.  
**CHARGE:** 402(a)(3)—contained moldy raspberries when shipped.  
**DISPOSITION:** 8-15-60. Default—destruction.

### MISCELLANEOUS FRUIT PRODUCTS\*

**26839. Mixed glaze fruits.** (F.D.C. No. 44774. S. No. 40-146 R.)  
**QUANTITY:** 46 cases, 12 1-lb. ctns. each, at Fayetteville, Ark., in possession of McCord-Ozark Co.  
**SHIPPED:** 10-15-58, from San Francisco, Calif.  
**LIBELED:** 8-12-60, W. Dist. Ark.  
**CHARGE:** 402(a)(3)—contained insects, insect excreta, rodent hairs, and moldy fruit; and 402(a)(4)—held under insanitary conditions.  
**DISPOSITION:** 9-27-60. Default—destruction.

**26840. Apple cider.** (F.D.C. No. 44786. S. No. 40-069 R.)  
**QUANTITY:** 192 cases, 6½-gal. btls. each, at Springfield, Mo.  
**SHIPPED:** 10-9-59 and 10-24-59, from Bailey, Mich.  
**RESULTS OF INVESTIGATION:** Examination showed that the article was undergoing decomposition.  
**LIBELED:** 9-1-60, W. Dist. Mo.  
**CHARGE:** 402(a)(3)—contained a decomposed substance while held for sale.  
**DISPOSITION:** 10-19-60. Default—destruction.

### VEGETABLES AND VEGETABLE PRODUCTS

**26841. Canned cream peas.** (F.D.C. No. 44739. S. Nos. 38-951 R, 39-223 R.)  
**QUANTITY:** 122 cases, 24 cans each, at Memphis, Tenn.  
**SHIPPED:** 5-18-60 and 6-7-60, from Spiro, Okla., by Fresh Canning Co.  
**LABEL IN PART:** (Can) "Baby Shug Fresh Texas Cream Peas \* \* \* Net Contents 15½ Oz. Avoir. Packed by Fresh Canning Co., Spiro, Okla."  
**RESULTS OF INVESTIGATION:** Examination showed the article to be canned field peas and to be short weight.  
**LIBELED:** 7-22-60, W. Dist. Tenn.  
**CHARGE:** 403(a)—when shipped, the word "Fresh" in the legend "Fresh Texas Cream Peas," was false and misleading as applied to a processed food; 403(e)(2)—the article failed to bear an accurate statement of the quantity of contents; and 403(g)(2)—the article was represented as canned peas, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional pea ingredient present in such food.  
**DISPOSITION:** 9-6-60. Default—delivered to a public institution for use as animal feed.

**26842. Dried mung beans.** (F.D.C. No. 44783. S. No. 9-721 R.)  
**QUANTITY:** 22 100-lb. bags at Batavia, N.Y.  
**SHIPPED:** Five or six years ago, from British East Africa.  
**LIBELED:** 8-25-60, W. Dist. N.Y.

\*See also No. 26803.

CHARGE: 402(a) (3)—contained insects, insect parts, rodent hairs, and rodent excreta pellets while held for sale.

DISPOSITION: 9-29-60. Default—destruction.

**26843. Dried black-eyed peas. (F.D.C. No. 44843. S. No. 45-367 R.)**

QUANTITY: 550 cases, 24 1-lb. bags each, at La Grange, Ga.

SHIPPED: 5-26-60, from Mobile, Ala.

LIBELED: 8-5-60, N. Dist. Ga.

CHARGE: 402(a) (3)—contained insects while held for sale.

DISPOSITION: 10-28-60. Default—destruction.

**26844. Cucumbers in brine. (F.D.C. No. 44723. S. No. 6-916 R.)**

QUANTITY: 12,500 gals. at Boston, Mass., in possession of R & S Pickle Works, Inc.

SHIPPED: Between 7-15-59 and 9-9-59, from Derry and Stratham, N.H., and Hatfield, Mass.

LIBELED: 7-14-60, Dist. Mass.

CHARGE: 402(a) (3)—contained insects, maggots, and decomposed cucumbers; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 8-22-60. Consent—claimed by R & S Pickle Works, Inc., and reconditioned.

**26845. Pickles and pickle products (2 seizure actions). (F.D.C. Nos. 43813, 44009. S. Nos. 40-398 P, 48-908/11 P.)**

QUANTITY: 5 bbls. onions, 18 bbls. gherkins, 4 bbls. alcaparrone, 165 bbls. peperoncini, 3 bbls. olives, 7 bbls. cut green beans, 120 cases of 24 8-oz. jars and 59 cases of 4 1-gal. jars of pickled mixed vegetables, and 200 cases of 24 8-oz. jars and 300 cases of 4 1-gal. jars of peperoncini, at Oakdale and San Francisco, Calif.

SHIPPED: The onions, gherkins, alcaparrone, peperoncini, and olives were imported from Italy between 10-15-57 and 11-22-57. The green beans were shipped on 8-3-57, from Eugene, Oreg. Such products were subsequently received by the Giambanco Wine Vinegar Plant at Oakdale, Calif. Portions of such products were subsequently used in the preparation of the pickled mixed vegetables by such plant and of those vegetables so prepared 11 cases were shipped to San Francisco by such plant on 11-13-59.

LABEL IN PART: (Some jars) "Pee Gee Brand PG Imported Italian Giardiniera Mixed Vegetables Contents 8 lb. \* \* \* Packed in U.S.A. By Giambanco Wine Vinegar Plant, Oakdale, Calif." and "Sun Blest Imported Italian Giardiniera Mixed Vegetables in Wine Vinegar \* \* \* Tiedemann & McMorran, Inc. \* \* \* San Francisco."

LIBELED: 11-23-59 and 12-28-59, N. Dist. Calif.

CHARGE: 402(a) (3)—while held for sale, contained flies and other insect filth; and 402(a) (4)—prepared, packed, and held under insanitary conditions.

DISPOSITION: 2-15-60. The seizure actions having been consolidated and the Giambanco Wine Vinegar Plant, Oakdale, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were released under bond to be brought into compliance with the law. The articles were segregated with the result that 65 5/6 bbls. peperoncini, 4 bbls. capers, and 10 bbls. of pickles were found to be good and were released